

REMARKS

Claims 1-21 are pending in the present application, with claims 7-21 withdrawn. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 103, Obviousness

The examiner has rejected claims 1-6 under 35 U.S.C. § 103 as being unpatentable over applicant's disclosure of a media library in view of Faiman *et al.* and Priestley *et al.* This rejection is respectfully traversed.

Exemplary claim 1 recites,

1. (Previously presented) A safety system for a media library comprising a plurality of media storage cells and at least one media picker robot that moves along the media storage cells, wherein the library is contained within an enclosure having at least one access means, the safety system comprising:
 - an access sensor that detects if the access means in the enclosure is open; and
 - a control component that operates the robot in the media library in one of the following modes:
 - if the access means is closed, a normal mode, wherein the picker robot automatically moves at a first specified speed; and
 - if the access means is open, a safe mode, wherein the picker robot automatically moves at a second specified speed that is a non-zero speed and is slower than the first speed of the normal mode.

The rejection appears to have at least the following problems, which will be discussed in greater detail below:

- One of ordinary skill in the art would not have been motivated to look at either Faiman or Priestly to solve the current problem because they are non-analogous art for the reasons discussed below; and
- Priestly does not show the automatic speed control that it is asserted to show.

No motivation to look at Faiman or Priestly; non-analogous art

Applicants have previously asserted that Faiman is non-analogous art, to which the rejection replied,

The instant invention deals mainly with applying safety interlocks to an existing device. As such Faiman *et al.* teach applying safety interlocks to a device with a protective shield and changing the operation of said device based on the state of the interlocks. Thus the use of Faiman *et al.* is analogous to the art of safety interlocks which the instant application is concerned with.¹

It is respectfully asserted that while Faiman, Priestly, and the instant application are all concerned with safety and more specifically with safety interlocks on their

respective devices, the requirements of their systems are not analogous to those of the system under discussion. The most obvious difference is that the media library of the instant application is the only one of the devices that needs to be working on while maintaining its automatic operation. No one would suggest that the powder compacting device of Faiman should continue to operate in an automatic fashion while it is being adjusted. While it is true that Faiman does maintain a very slow speed by which the compacting device can be "jogged" during adjustments, the "jogging" is under operator control, not an automatic response. If these were similar situations, then the operator of Faiman would need to provide adjustments/repairs while the mechanism kept compacting powder, which it does not do. Likewise, Priestly does not show an interlock for a device that must maintain its operation while it is being worked on. Indeed, as discussed in more detail below, the drive mechanism of Priestly can only be changed from one speed range to another by operator action, and only then when the boom is completely docked and immovable.

It is further asserted that there are very few situations in which a device is not taken out of service when repairs or adjustments have to be made. It is only in our extremely fast paced, on-demand world that this has become an issue. The background section of the application clearly sets out the problem and it is asserted that one of ordinary skill in the art of safety interlocks (which the rejection has defined as the field of invention) would not look to Faiman or to Priestly to solve the problem set forth in this application. It is only when we can pick and choose the references from the vantage of hindsight that these references can appear to be obvious. Thus, this rejection is overcome.

Priestly does not show automatic speed control

The arguments presented above are believed to be compelling. However, even if they are ignored, an additional problem remains. In the previous office action, the claims were amended to recite that the speed of the robots is controlled automatically. The rejection was broadened to include Priestly, while the rejection now states,

The admitted prior art and Faiman et al. do not teach the second operating speed as being et automatically once the interlock is triggered. Priestly et al. US 6,405,114 teach a device with an interlock system comprising:
A drive motor for wheels;
Interlocks for determining if a boom is in a lowered position or not;

¹ Office action of 8/11/2004, page 4, first paragraph

Whereby if the boom is in the lowered position said device travels at a first speed;

Whereby if said boom is not in the lowered position said interlocks limit the speed of the device to a second speed that is non-zero and slower than said first speed.

It would have been obvious to one of ordinary skill in the art, at the time of invention to provide the admitted prior art with a safety interlock as taught by Airman et al. in order to keep the operator from being hurt by the device while working in the enclosure and to further automate the speed reduction as taught by Priestly et al. in order to keep an operator from overriding the safety interlocks and operating the device in a dangerous manner.²

Thus, Priestly is asserted to show that the speed is controlled automatically. However, if we look to what Priestly states about the speed of the device as it is affected by the interlock mechanism on the boom, we read,

To power one or more of the wheels 102 to operate the drive and steer functions of the apparatus, there is also a series of interlocks that must be in place. In particular, it is required that the platform emergency stop switch 212 be set or pulled out and the platform foot switch interlock 214 must be set or depressed. When these two interlocks are made, the operator may select and activate the drive or steer functions of the apparatus. All drive motion is controlled by a drive control joystick 224 on the platform control panel 300. The control joystick 224 proportionately controls the drive speed in two separate ranges, low range and high range. The drive speed range is selected by pressing a drive range switch 304 on the platform control panel 300. The high range speed can only be activated when the boom is cradled and a boom cradle interlock switch is closed to indicate that the boom is in the cradled position and an angle sensor indicates that the slope angle on which the platform rests is less than five degrees. The boom cradle interlock switch and/or the angle sensor constitute a position detector circuit or, if implemented in software, constitute a position detector subroutine.³

As shown in the underlined section above, changing the drive speed range is a manual operation; the boom must be cradled and the operator must press a switch. Thus, this is not an automatic response; rather it must be a conscious decision on the part of the operator. In contrast, the claimed ability to control the speed within the enclosure is automatic. When the access is open, the speed of the robots is automatically decreased, so that anyone entering the library is protected from potential harm. Thus, it is asserted that the rejection of claims 1-6 under 35 U.S.C. § 103 has also been overcome for this reason.

² Office action of 08/11/2004, page 3, top half of page

³ Priestly, column 8, line 36-56

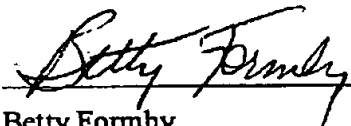
II. Conclusion

It is respectfully urged that the subject application is patentable over the references relied on and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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